

RECEIVED

EIS000466

OCT 26 1999

MS. LAW: My name is Martha

1... 10 Law. I am from Las Vegas, Nevada. [The no action
11 alternative does not meet the NEPA requirement that
12 it is reasonably -- a reasonable alternative to the
13 proposed action. Neither of the two scenarios
14 analyzed as the no action alternative would ever be
15 considered for implementation.]

16 Scenario 1 assumes that the spent nuclear
17 fuel and high-level radioactive waste would remain
18 at the 77 source sites under institutional control
19 for 10,000 years.

20 Scenario 2 assumes that the waste would
21 remain at these sites in perpetuity, under the
22 institutional control for only about 100 years. The

1

1 DOE states in the draft IES -- in the draft EIS that
2 it recognizes that neither scenario would be likely
3 if there were a decision not to develop a repository
1 cont. 4 at Yucca Mountain. However, they are part of the
5 analysis to provide a baseline for comparison to the
6 proposed action. If the alternative is not
7 reasonable, then the comparison is also not
8 reasonable.

2... 9 The draft EIS does not identify and
10 specifically analyze national transportation routes
11 for rail and highway shipments. Although highway
12 routes can be identified by applying national
13 highway routing regulations to these shipments, the
14 rail routes can be identified by examining available
15 rail lines and their classifications.

2 cont. 16 The draft EIS could have analyzed impacts
17 specific to national transportation routes after
18 first identifying the routes based on available
19 information, but it did not make such an analysis.
20 Instead, it performed a limited generic
21 transportation analysis that avoided analysis of
22 specific conditions, impacts and hazards along these

2 cont.

1 routes.

3

2 The draft EIS does not fully describe the
3 proposed action, as required by NEPA. Instead, it
4 claims to have bounded the potential impacts by
5 analyzing a range of design alternatives and options
6 without selecting a preferred alternative or
7 option.

8 This approach was taken because repository
9 design is still evolving outside of this EIS process
10 and the design of the repository considered for site
11 recommendation is not known yet and will not be
12 selected based on this EIS. The final EIS should
13 include the selected repository design and analysis
14 of its potential impact, including a comparison with
15 reasonable alternatives that are considered.

4...

16 What else do I have here? [A description
17 of the analysis of the affected environment for each
18 Nevada transportation route and corridor alternative
19 could be provided in this draft EIS.] DOE states in
20 this draft EIS that it believes that the information
21 is necessary to make decisions regarding the basic
22 approaches; for example, mostly by rail or mostly by

1 truck shipments, as well as a choice among
2 alternative transportation corridors.

4 cont.

3 While selection of the preferred
4 transportation alternative in Nevada is not included
5 as a part of the decision to proceed with the
6 proposed action, it is clear DOE intends to use this
7 EIS at some later date to make specific
8 transportation mode, route and corridor decisions.
9 This being the case, the EIS should include analysis
10 of potential impacts and hazards of all alternatives
11 in order to support a selection from among the
12 alternatives.

13 During the preparation of this draft EIS,
14 sufficient information to support such an analysis
15 could have been developed but wasn't. This draft
16 EIS is not sufficient to select among the
17 alternatives for waste transportation to Nevada or
18 to Yucca Mountain.

5...

19 The socioeconomic impact analysis in this
20 draft EIS is limited to standard impacts. There is
21 no analysis of potential socioeconomic upset due to
22 repository operation and transportation under both

5 cont.

1 normal and accident conditions, the knowledge that
2 nuclear waste transportation or accidents are
3 associated with particular locations and can have
4 adverse economic impacts on the locations due to a
5 certain stigma that might be developed.

6 Las Vegas and Clark County, Nevada, with
7 their tourism-based economy, are particularly
8 vulnerable to economic impacts of this stigma.

9 Other locations among national transportation
10 routes, both urban and rural, are subject to the
11 same kind of effect from this stigma, especially
12 under accident conditions, including the recent
13 accident three months ago in the Death Valley area.

14 This EIS should consider the potential socioeconomic
15 impacts of a stigma associated with this proposed
16 action and evaluate potential mitigation options.

17 The proposed action includes a permanent
18 withdrawal of 230 square miles of federal land,
19 including the Yucca Mountain site, which is less
20 than two square miles, and a large surrounding
21 area. [The southern boundary of the withdrawal area
22 adjacent to the nearest population would be

6 cont.

1 approximately 12 miles from the location of the
2 waste emplacement area. This is an unnecessarily
3 large land withdrawal.

4 Such a large land withdrawal does not
5 assure long-term safety of the repository because it
6 is not only -- it not only represents an
7 institutional control that cannot be relied upon and
8 protect the waste after permanent repository
9 closure, at some time in the future this control
10 will no longer exist. The EIS should provide a
11 defensible rationale for the permanent land
12 withdrawal of this magnitude from other public
13 uses.

7...

14 Regarding environmental justice, the DOE
15 states in the draft EIS that there would be no
16 disproportionately high or adverse impacts to
17 minority or low-income populations as a result of
18 this proposed action, including national
19 transportation. The draft EIS -- let me repeat
20 that. Including national transportation. This does
21 not cover national transportation, the draft EIS.

22 The draft EIS includes a differing

7 cont. 1 perspective from Native Americans in Nevada. The
2 draft EIS provides no response to the Native
3 Americans' differing position, although the generic
4 nature of the national transportation analysis, the
5 draft EIS findings regarding environmental justice
6 is without basis. Analysis among specific
7 transportation routes were not carried out in this
8 draft EIS.

9 MR. LAWSON: Let me ask you, how
10 are you doing for time?

11 MS. LAW: How am I doing for
12 time?

13 MR. LAWSON: How much do you
14 need?

15 MS. LAW: Got it.

16 MR. LAWSON: I understand you
17 perfectly.

8 18 MS. LAW: [The draft EIS also
19 states a delayment of contamination. It does not
9... 20 isolate radioactive material. It is stated in the
21 draft EIS that eight deaths would be -- eight deaths
22 a year could be the effect of the transportation to

9 cont. 1 Yucca Mountain to the nearest community, which is 12
2 miles away, which has a population of, say, 50. So
3 this population center only has ten years to live
10 4 under this draft EIS. The draft EIS does not
5 consider cumulative impact.

6 Do you get that?

7 MR. LAWSON: Cumulative.

8 MS. LAW: Cumulative. Thank
9 you.

10 MR. LAWSON: Thank you. The
11 next speaker is Kevin Kamps, to be followed by
12 Michelle Cothburn and Brian O'Connell.